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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 GREGORY SIMON,

11 Plaintiff,

12 v.

13 DOUGLAS WADDINGTON, *et al.*,

14 Defendants.


Case No. C08-5597 RJB/KLS

ORDER ADOPTING
REPORT AND
RECOMMENDATION

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16 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L.
17 Strombom, objections to the report and recommendation, if any, and the remaining record, does
18 hereby find and ORDER:

- 19 (1) The Court adopts the Report and Recommendation;
- 20 (2) This action is **DISMISSED WITHOUT PREJUDICE**, pursuant to Rule 41(a) of
the Federal Rules of Civil Procedure;
- 21 (3) The Clerk is directed to send copies of this Order to Plaintiff, and to the Hon. Karen
22 L. Strombom.

23 DATED this 7th day of January, 2009.

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26 ROBERT J. BRYAN
27 United States District Judge
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